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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,928	02/02/2004	Gordon M. McDaniel	GSI 8453U1	9614

7590 01/31/2005

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EXAMINER

BIDWELL, JAMES R

ART UNIT	PAPER NUMBER
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3651

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/769,928

Applicant(s)

MCDANIEL, GORDON M.

Examiner

James R Bidwell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10-26-2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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The disclosure is objected to because of the following informalities: In the first line of claim 2 —said—should be inserted after “wherein”.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Vinarsik et al. (U.S. Patent 4,034,837).

Vinarsik et al. show stub shafts 32 and 33 removably mounted to a pulley 21, the stub shafts are coaxially mounted with respect to the pulley and one another, a radial flange 30 secured to the stub shafts and the flange is removably mounted to the pulley.

Re claim 3, shown is an end wall 47 to which flange 30 is mounted.

Re claim 4, the end walls 47 are spaced inwardly.

Re claim 5, the pulley is mounted between spaced supports and there is a bearing assembly for the stub shafts, see column 2, line 57.

Re claim 6, shown are two stub shafts.

Re claim 9, the flange is fixedly secured to the shaft and removably secured to the pulley.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vinarsik et al. in view of Dingeldein et al. (U.S. Patent 6,273,244).

Vinarsik et al. do not show conical portions on the ends of roller 21. However, shown by Dingeldein et al are such conical portions 72. To include such onto Vinarsik et al. would have been obvious to one of ordinary skill in the art where it might be required to keep bulk material from falling off the belt edges.

Re claim 7, Vinarsik et al. do not show a housing having an access panel. However, shown by Dingeldein et al. is such an access panel 60, 122. To have a panel on Vinarsik et al. would have been obvious to one of ordinary skill in the art as it is well known to provide some type of access to a part which will eventually need to be replaced.


Re claim 8, the bearing may be replaced without removing the pulley.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to James R Bidwell at telephone number (703)308-1144.

JRB

01-27-2005


JAMES R. BIDWELL
PRIMARY EXAMINER
GROUP 3651
1/27/05
3651